

Attorney Docket No. 179.210US

USPTO FAX NO.: 703-872-9306

ATTENTION: Examiner Gerald G. Leffers Jr.  
TELEPHONE NUMBER: 703-308-6232

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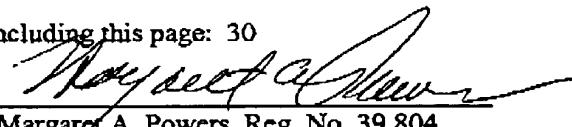
I hereby certify that the following documents in re Application of Juha Punnonen et al., Application No. 09/886,942, filed June 21, 2001, for NOVEL CHIMERIC PROMOTERS is being transmitted to Group 1600 of the US Patent and Trademark Office to USPTO facsimile phone number 703-872-9306 on the date shown below.

Documents Attached

1. Amendment (25 pages)
2. Facsimile Transmitted Form (1 page)
3. Petition to extend the period for response for one months (1 page and 1 duplicate page)
5. Fee Transmittal Form (1 page)

Number of pages being transmitted, including this page: 30

Dated: December 1, 2003

  
Margaret A. Powers, Reg. No. 39,804

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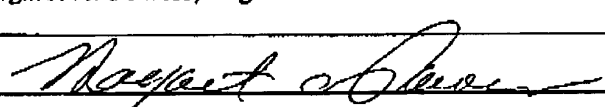
Maxygen, Inc.  
515 Galveston Drive  
Redwood City, CA 95064  
Telephone: 650-298-5300  
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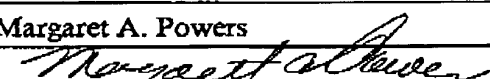
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/886,942	
	Filing Date	June 21, 2001	
	First Named Inventor	Juha Punnonen	
	Group Art Unit	1636	
	Examiner Name	Gerald G. Jeffers Jr.	
Total Number of Pages in This Submission	<b>30</b>	Attorney Docket Number	179.210US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Small Entity Statement	
	<input type="checkbox"/> Request for Refund	
<b>Authorization to Charge Deposit Account</b> Please charge Deposit Account No. 50-0990 for any additional fees associated with this paper or during the pendency of this application, including any extension of time for consideration of the documents enclosed		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Margaret A. Powers, Reg. No. 39804
Signature	
Date	December 1, 2003

CERTIFICATE OF FACSIMILE TRANSMISSION	
I hereby certify that this correspondence is being transmitted by facsimile to Group 1600 of the United States Patent and Trademark Office, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:	
Typed or printed name	Margaret A. Powers
Signature	
Date	December 1, 2003

PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110.00

**Complete if Known**

Application Number	09/886,942
Filing Date	June 21, 2001
First Named Inventor	Juha Punnonen
Examiner Name	Gerald G. Jeffers Jr.
Art Unit	1636
Attorney Docket No.	179.210US

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit  
Account  
Number  
Deposit  
Account  
Name

50-0990

Maxygen, Inc.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☒ Charge fee(s) indicated below, except for the filing fee to the above identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 930	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 000.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20" =	X	
Multiple Dependent	-5" =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0000.00

\*For number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	110.00
1252 410	2252 205	Extension for reply within second month	
1253 830	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	2451 1,510	Pardon to institute a public use proceeding	
1452 110	2452 55	Pardon to revive - unavoidable	
1453 1,300	2453 650	Pardon to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 830	2503 315	Plant issue fee	
1460 130	1460 130	Pensions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Sheet	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Order fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 110.00

**SUBMITTED BY**

Name (Print/Type) Margaret A. Powers

Registration No.

39,804

(Complete if applicable)

Telephone 650-298-5809

Signature

*Margaret A. Powers*

Date

12/01/2003

**Certificate of Facsimile Transmission under 37 C.F.R. §1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, facsimile number 703-872-9306 on this date: December 1, 2003

Typed or Printed Name Margaret A. Powers

Signature

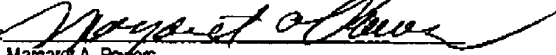
*Margaret A. Powers*

Date

12/01/2003

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I hereby certify that this correspondence is being transmitted by facsimile to Group 1636 of the United States Patent and Trademark Office to facsimile number 703-872-9306 on December 1, 2003:

By:   
Margaret A. Powers  
MAXYGEN, INC.

Attorney Docket No.: 0179.210US  
(formerly Attorney Docket No.:  
02-031910US)

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Juha Punnonen, et al.

Application No.: 09/886,942

Filed: June 21, 2001

**For: NOVEL CHIMERIC PROMOTERS**

Examiner: Leffers Jr., Gerald G.

Art Unit: 1636

**AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated July 30, 2003, Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks. The following documents are enclosed herewith:

- 1) A Petition for Extension of Time Under 37 C.F.R. § 1.136(a) to extend the period of response for one month from October 30, 2003 to November 30, 2003 (given that November 30, 2003 is a Sunday, the period may be extended to December 1, 2003);
- 2) Fee Transmittal; and
- 3) Transmittal Form.

Please amend the above-identified application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** begin on page 4 of this paper.

**Remarks** begin on page 14 of this paper.